



ERNEST F. CHAPMAN

202-408-4096

December 31, 2001

Mr. Yusuke Hiraki
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Minato-ku, Tokyo 105-0001
JAPAN

U.S. National Phase Application No. PCT/JP00/04413
Title: **AGENT FOR AMELIORATING LOW VASOPRESSIN LEVEL**
Inventors: Etsuro OGATA
Assignee: Chugai Seiyaku Kabushiki Kaisha
Your Reference: PH-944PCT-US
Our Reference: 04853.0085

Dear Mr. Hiraki:

Thank you for your letter of December 25, 2001, enclosing this case for filing in the U. S. Patent and Trademark Office. We filed the application on December 31, 2001, to preserve convention priority. We enclose a copy of the filed papers and will send you the filing receipt for this case as soon as we receive it from the U.S. Patent and Trademark Office.

DECLARATION

Since the declaration sent us is in English, we assume the inventors understand this language. If not, please let us know so we can prepare a declaration in a language understood by the inventors as required by U.S. practice.

ART DOCUMENTS

The art documents identified in your order letter have been filed with the application and we are enclosing a copy of the Information Disclosure Statement and Citation for your records

We reviewed the specification and international search report for this application and noticed that reference was made to one or more documents that were not provided with your order letter. We must submit a copy of each document referenced in the

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specification and international search report which is considered to be material to examination of this application. Please provide us with a copy of such documents so we can file an Information Disclosure Statement listing those documents. Please let us know if you want us to obtain copies of any U.S. patent documents since we can easily obtain these from the U.S. Patent and Trademark Office.

If English language equivalents of the documents forwarded to us are available, we would appreciate a copy or citation of this material. If no English language equivalent is available, we need a short statement as to the relevance or lack of relevance with respect to the invention of the present application.

We understand that documents not sent to us in response to this request are considered by you, the inventors and any assignee not to be material to the patentability of this application.

DUTY OF DISCLOSURE

To comply with the duty of disclosure of 37 C.F. R. § 1. 56, please let us know of any information, including any prior art, that you, the inventors, or any assignee are aware of that would be material to the patentability of the claims of this case. We also need a copy of each prior art reference, especially if it is not a U.S. patent. This includes any prior art that may already be cited in the application.

1. Timing

If any such information exists, it should be submitted to the U.S. Patent and Trademark Office within three (3) months of the filing date together with a brief statement of its relevance to the invention if the document is not in the English language. A known English language equivalent or a translation of at least the pertinent portions of a non-English language document may be filed, if it is available. If not, a concise explanation of the relevance of the non-English language document must be filed.

2. Subsequently-found information

Please remember that the duty to cite material prior art also extends to prior art that you, the inventors or any assignee may subsequently become aware of up to the time of issuance of the U.S. patent. This includes, for example, prior art cited during the prosecution of corresponding foreign applications that would be material to the patentability of this application.

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3. Related patents and applications

Please also identify for us any U.S. patents or pending patent applications that you, the inventors or any assignee are aware of that are related to the subject matter of this case. We need to determine if the file of these cases contains any relevant prior art or if it should be brought to the Examiner's attention since it may be a potential or actual prior art reference under 35 U.S.C. § 102(e) or it may raise an issue of double patenting.

4. Consequences

Failure to disclose information known to be material to the patentability of the claims of the application can affect the validity of the patent granted in the application.


We will rely on you to inform the inventors and any assignees of this requirement and send us all material information. If you do not send us copies of any of the information discussed above, we will understand that neither you, the inventors nor any assignee consider the information to be material to the patentability of this application.

We appreciate the opportunity to assist you in the prosecution of this application and will keep you informed of the status of the application. If you have any questions, please call us at your convenience.

With best regards,

Sincerely,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Ernest F. Chapman

EFC/dvz
Enclosures
cc: Jean B. Fordis
Charles E. Van Horn